

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3864 of 2019

Arising Out of PS. Case No.-20 Year-2018 Thana- MAHILA PS District- Aurangabad

1. Kameshwar Singh @ Kameshwar Prasad Singh, son of Late Vijay Ranjeet Singh, resident of Village- Bibiganj, P.S.- Ara Muffasil, District- Bhojpur at present resident of Qtr. No. DT 2152, HEC Colony, P.S.- Dhurwa, District- Ranchi (Jharkhand)
2. Sushila Devi, wife of Kameshwar Singh @ Kameshwar Prasad Singh, resident of Village- Bibiganj, P.S.- Ara Muffasil, District- Bhojpur at Ara, at present resident of Qtr. No. DT 2152, HEC Colony, P.S.- Dhurwa, District- Ranchi (Jharkhand) ... Petitioners

Versus

The State Of Bihar

... Opposite Party

with

CRIMINAL MISCELLANEOUS No. 20752 of 2019

Arising Out of PS. Case No.-20 Year-2018 Thana- MAHILA PS District- Aurangabad

MANISH KUMAR @ MANISH KUMAR SINGH, Male, Son of Kameshwar Singh @ Kameshwar Prasad Singh, resident of Village-Bibiganj, Police Station-Udwanthnagar, District-Bhojpur at present resident of Quarter number DT 2152, HEC Colony, Dhurwa, P.S.- Dhurwa, District-Ranchi (Jharkhand) ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3864 of 2019)

For the Petitioners : Mr. Hari Mohan Tripathi, Adv.

For the Opposite Party : Mr. Dr. Ajeet Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 20752 of 2019)

For the Petitioner : Mr. Shiv Mohan Saha, Adv.

For the Opposite Party : Mr. Rana Randhir Singh, APP

(In both the cases)

For the Informant : Mrs. Indira Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 21-08-2019 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with



Mahila P.S. Case No. 20 of 2018 for the offences alleged under Sections 498A, 323, 307 and 120B of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

The accusation is of torturing of the informant, Puja Kumari, by her husband and in-laws, due to non-fulfillment of demand of dowry and removing her from matrimonial house.

Learned counsel for the petitioners submits that Kameshwar Singh and Sushila Devi (petitioners of Cr. Misc. No. 3864 of 2019) are the father-in-law and mother-in-law, whereas Manish Kumar (petitioner of Cr. Misc. No. 20752 of 2019) is the husband of the informant. The matter was referred before the Patna High Court Mediation Committee for settlement of the dispute, but, the matter could not be settled there.

On the other hand, learned counsel for the informant submits that due to rigid attitude of the petitioner (Manish Kumar), the matter could not be settled as he does not want to take the informant at matrimonial house.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let Kameshwar Singh and Sushila Devi (petitioners of Cr.



Misc. No. 3864 of 2019), in the event of surrender/arrest, within a period of four weeks from today, in connection with Mahila P.S. Case No. 20 of 2018 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Aurangabad, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

Taking into consideration the nature of allegation, as made against the Manish Kumar (petitioner of Cr. Misc. No. 20752 of 2019) his prayer for anticipatory bail is **rejected**. He is directed to surrender before the Court below and seek regular bail, which would be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

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